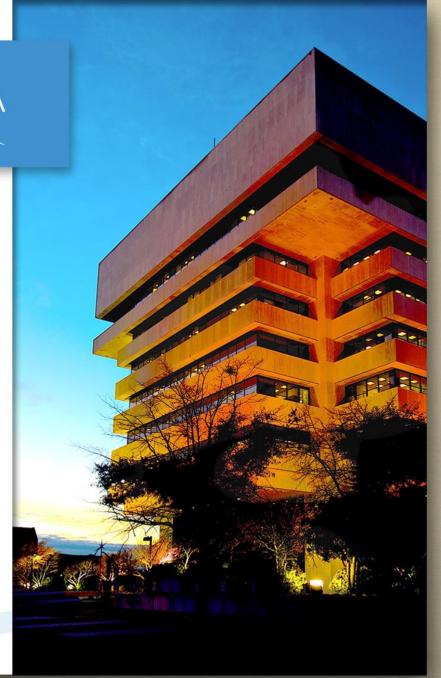
HAMPTON VA

Inoperable Vehicles in Residential Areas

City Council
October 11, 2017



Purpose

 Brief City Council on potential amendments to the City Code related to inoperable vehicle enforcement in residential areas.

Agenda

- Current Challenges
- Current Code Requirements/Practices
- Potential Options Available
- Staff Recommendations
- Request for City Council Guidance

Current Challenges

The Property Maintenance & Zoning Enforcement Division is responding to increased citizen complaints related to:

 Inoperable vehicles that remain on properties for long periods of time

Inoperable Vehicles – Current Practice

Inoperable Vehicle defined as:

- For a period of <u>60 days</u> or longer:
 - has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential part; or
 - Displays neither valid license plates nor a valid inspection deal (requires <u>both</u> to be missing or invalid)
- Exception for up to two vehicles within a fully enclosed building or structure or otherwise shielded or screened from view (not visible by someone standing at ground level from outside the property)

- Inoperable Vehicle definition requires either inspection OR registration
- Property owners are able to "run out the clock" on compliance
- Could take 100 days to remedy a violation



This vehicle has current tags but an expired state inspection, which is allowed to be parked on private property but not driven on a public highway





Inoperable Vehicles – Current Practice

Inspector finds violation

Proactive drive through a neighborhood and/or citizen complaint

Notice of Violation (NOV) issued

- Given <u>60 days</u> to correct violation

Inspector re-inspects property (1)

- If not corrected, 10-day NOV issued.

Inspector re-inspects property (2)

 If not corrected, vehicle towed by contractor or, if unable to gain access to vehicle, summons issued to property owner

Court process for uncorrected violations

- If the summons is able to be served timely, the first court date is approximately 4 weeks after summons is obtained
- Best case scenario: 100 days for court process

Potential Options Available

- Require current inspection and registration
- Shorten compliance period
- Limit # of screened vehicles

History:

- The inoperable vehicle code was last substantively revised in 2000
- In 2000, City staff met with many hobbyists, representatives from auto repair shops, and other stakeholders to reach a consensus

- Hampton has special authority to regulate inoperable vehicles more inclusively
 - Current code requires valid registration or inspection
 - Authorized to require valid registration
 and inspection (if inspection required by DMV)

*Would continue to regulate partially or totally disassembled vehicles

- Hampton has special authority to regulate inoperable vehicles more inclusively
 - Current code allows two (2) inoperable vehicles per property if fully screened from view
 - Authorized to allow zero (0) inoperable vehicles per property with an exception for up to 2 vehicles being actively restored if fully screened from view
- Limitations do not apply to inoperable vehicles kept in a fully enclosed building

#1 – Inoperable Vehicles Other Jurisdictions with Special Authority

| Jurisdiction | Inspection AND registration? | Time Limits | Allow Shielded? |
|--------------|------------------------------|----------------------|----------------------------|
| Hampton | No | 60 days + 10 days | Yes, 2 |
| Newport News | Yes, both | 24hrs – 7 days | 0 |
| Portsmouth | No | 10 days | Yes, unlimited |
| Suffolk | No | 10 days | 0 |
| Albemarle | Yes, both | 10 days | Yes, unlimited |
| Fairfax | Yes, both | 10 days | Yes, unlimited |
| Roanoke | Yes, both | 7 days | Yes, 1, exempts industrial |
| Petersburg | Yes, both | 15 days | 0 |
| Falls Church | Yes, both | 10 days | 0 |

#1 – Inoperable Vehicles

| Options | Pros | Cons |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Requiring current inspection and registration | Reduce # of vehicles Align with requirements to drive on streets More difficult to circumvent code | Will cost money for citizens to register vehicles if they only have inspections (and vice-versa) |
| Shortening compliance period | Expedited enforcementAlign with neighboring jurisdictions | People may need time to bring vehicle into compliance Hobbyists could get caught up |
| Limit # of Screened Vehicles | - Reduce # of vehicles | - Difficult to enforce |

Staff Recommendations

Inoperable Vehicles

- Require current inspection and registration (if inspection required by DMV)
- Shorten compliance period to 10 days
- Limit # of screened vehicles as allowed by state code

Staff recommends approval of all 3 options

Questions